

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADAM'S APPLE FRUITS & VEGETABLES
LLC,

Plaintiff,

- against -

SHEFA APPETIZING, INC., et al.,

Defendants.

ORDER

25-CV-02156 (PMH)

PHILIP M. HALPERN, United States District Judge:

Plaintiff initiated this action by filing a complaint on March 14, 2025 against Shefa Appetizing, Inc., Shefa Foods NY Inc., Aron Kohen (together, the “Served Defendants”), and Shlomo Kohen.¹ (Doc. 1). Defendants Shefa Appetizing, Inc. and Shefa Foods NY Inc. were served on March 24, 2025. (Docs. 7-8). On April 30, 2025, Clerk’s Certificates of Default were entered as to Defendants Shefa Appetizing, Inc. and Shefa Foods NY Inc. (Docs. 19-20). Defendant Aron Kohen was served on April 5, 2025. (Doc. 9). On May 13, 2025, the Clerk’s Office rejected Plaintiff’s proposed certificate of default for Defendant Aron Kohen as a “Deficient Docket Entry.” (Doc. 22; May 13, 2025 Entry). As such, no Clerk’s Certificate of Default has been entered as to Defendant Aron Kohen. There has been no activity on the docket since May 13, 2025.

Accordingly, by June 5, 2025, Plaintiff shall comply with this Court’s Individual Practices Rule 4(B) for obtaining a default judgment against the Served Defendants.

Failure to strictly comply with this Court’s Individual Practices and this Order may result in dismissal of this action in its entirety, without prejudice, for want of prosecution under Federal Rule of Civil Procedure 41(b).

¹ Defendant Shlomo Kohen has not yet been served. Cf. Fed. R. Civ. P. 4(m) (“If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”).

SO ORDERED.

Dated: White Plains, New York
March 22, 2025



PHILIP M. HALPERN
United States District Judge